

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:00-00251

STEVEN VANCE

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On July 15, 2005, the United States of America appeared by L. Anna Crawford, Assistant United States Attorney, and the defendant, Steven Vance, appeared in person and by his counsel, Edward H. Weis, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Thomas D. Stevens, Jr., the defendant having commenced a thirty-month term of supervised release in this action on April 27, 2005, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on October 21, 2004.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: that the defendant used and possessed hydrocodone as evidenced by the positive urine screen submitted by him on May 11, 2005, and as a result of that positive urine screen he was removed from the Lebanon Community Corrections Center, the court having directed that he spend a period of six months there as a special condition of the thirty-month term of supervised release, as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violation warrants revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violation if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

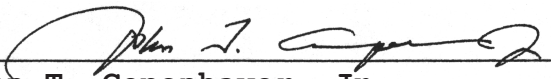
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense and the intervening conduct of the defendant, that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TEN (10) MONTHS to be followed by a term of TWENTY (20) MONTHS supervised release, upon the sixteen standard conditions of supervised release in effect in this district and the further condition that the defendant not commit another federal, state or local crime and the special conditions that he submit to random urine screens at the rate of not less than one time per week and that he make payments on the \$70,072.01 as previously directed by the court. It is further ORDERED that, with respect to defendant's ten-month term of imprisonment, he shall receive credit for time served while in custody awaiting hearing and sentencing from May 31, 2005, to July 15, 2005.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant be designated to FCI Gilmer.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: August 11, 2005



John T. Copenhaver, Jr.
United States District Judge